TTAB

, IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

PAUL WARNER and	#85509063
BROTHERS OF THE WHEEL M.C., EXECUTIVE COUNCIL, INC.) Cancellation No.: 92059164
Petitioner,	
v.) Mark: BROTHERS OF THE WHEEL
GERALD R. MOLLOHAN and	Registration No.: 4299480
BROTHERS OF THE WHEEL	Date Registered: March 05, 2013
Respondent	

REGISTRANT AND RESPONDENT'S MOTION TO DISMISS THE PETITION FOR CANCELLATION

COMES NOW the Registrant and Respondent's Gerald R. Mollohan, Pro Se *et al* owner of Trademark Registration Number 4299480 for "BROTHERS OF THE WHEEL" Classification 026 to hereby notify the Board (TTAB) of his "MOTION TO DISMISS THE PETITION FOR CANCELLATION" pursuant to Trademark Rule 2.126 and other Trademark Manual of Board Procedures ("TBMP") and applicable authorities.

Upon information and belief, Respondents' state that Petitioner Paul Warner, having no qualifications or certification before this honorable Trial Board, is not qualified according to the rules, to represent a corporation in these proceedings and in Respondents motion to dismiss this petition for cancellation. Warner's own motion to allow him to represent a corporation points out that a corporation is a separate person in the eyes of the law. To do so is a clear violation of West Virginia law, Federal Rules of Civil Procedure and all rules of this most Honorable Court.

1

Furthermore, Attorney RICHARD J. LINDROTH is not qualified nor is he authorized to represent anyone before this most honorable Court/Board per 37 CFR § 11.7 of Trademark Regulations, which stipulate that a licensed attorney must "register" and complete, and examination to qualify to practice before this honorable Court/Board. Additionally, Petitioner Warner is not authorized nor qualified to represent a Corporation in any legal matter.

Pursuant to 309.02(c)(2) "SERVICE OF PETITION ON RESPONDENT, The Petitioner failed to properly serve the Registrant and Respondent and he failed to include per 37 CFR § 2.111 Filing petition for cancellation "THE PETITION MUST INCLUDE PROOF OF SERVICE ON THE OWNER OF RECORD FOR THE REGISTRATION, OR THE OWNER'S DOMESTIC REPRESENTATIVE OF RECORD, AT THE CORRESPONDENSE ADDRESS OF RECORD IN THE OFFICE, AS DETAILED IN § § 2.111(b) and 2.119.

Respectfully Submitted,

Gerald R. Mollohan, Pro Se et al

REGISTRANT and RESPONDENT

P.O. Box 507

St. Albans, West Virginia 25177-0507

United States of America

CERTIFICATE OF SERVICE

I, Gerald R. Mollohan hereby certify that on June 23, 2014, a copy of the foregoing

"REGISTRANT AND RESPONDENT'S MOTION TO DISMISS THE PETITION FOR CANCELLATION"

was sent by U.S. Mail, postage prepaid to:

PAUL D. WARNER and
BROTHERS OF THE WHEEL M.C. EXECUTIVE COUNCIL, INC.
PO BOX 782
MADISON, WEST VIRGINIA 25130-0782
UNITED STATES

and

RICHARD J. LINDROTH PO BOX 331 ELEANOR, WV 25070

GERALD R. MOLLOHAN, Pro Se et al

REGISTRANT AND RESPONDENT

PO BOX 507

ST.ALBANS, WEST VIRIGNIA

UNITED STATES OF AMERICA